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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,395	11/25/2003	Sung Gi Hwang	K-0567	4274
34610	7590	09/07/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			LU, JIPING	
			ART UNIT	PAPER NUMBER
			3749	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/720,395	HWANG, SUNG GI	
	Examiner	Art Unit	
	Jiping Lu	3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on preliminary amendment filed 11/25/2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 11-14 are objected to because of the following informalities: claim 11, the claimed limitation of "the first and second reception parts" lacks antecedent basis in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11, 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U. S. Pat. 3,520,568) in view of Chioffi et al. (U. S. Pat. 6,082,787).

Patent to White et al. shows a dryer comprising a housing 12, a drum 11 rotatably installed in the housing, a heating apparatus for supplying hot air to the drum (col. 2, lines 59-61), a door 13 and an apparatus for opening/closing the door 13 comprising a hook 17 with hanging portion 26 and a latch assembly 18 having a latch body 19 and a holder 25 to hold the hanging portion 26 which are arranged same as claimed. However, patent to White et al. does not show the door opening/closing apparatus with a latch assembly having a pair of holders to hold the hanging portion, a pair of springs provided in rear of the holders and a support member provided to the latch body to support each of the springs to move stably. Chioffi et al. teach a

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door opening/closing device for a domestic electrical appliance comprising a latch assembly 1 with a latch body 2, a pair of holders 8,9 to hold the hanging portion of hook 21, a pair of springs 10, 11 provided in rear of the holders and a support member (not numbered, see Figs. 1, 3-4, 6-7, parts support springs 10, 11) to support each of the springs to move stably and a latch cap 4 which are arranged same as claimed. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the latch assembly 1 of Chioffi et al. for the latch assembly of White et al. in order to improve the safety.

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U. S. Pat. 3,520,568) in view of Chioffi et al. (U. S. Pat. 6,082,787) as applied to claim 11 above, and further in view of Cravener (U. S. Pat. 2,489,864).

The dryer of White et al. as modified by Chioffi et al. as above includes all that is recited in claim 14 except for the bolts for fixing the latch cap to the latch body. Cravener teaches a latch assembly with bolts 16 for fixing the latch cap 14 to the latch body same as claimed. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the dryer of Chioffi et al to include bolts for fixing the latch cap to the latch body as taught by Cravener in order to facilitate install and replace latch cap.

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U. S. Pat. 3,520,568) in view of Chioffi et al. (U. S. Pat. 6,082,787) as applied to claim 11 above, and further in view of Fleming (U. S. Pat. 4,480,862) or Fig. 1 of applicant admitted prior art.

The dryer of White et al. as modified by Chioffi et al. as above includes all that is recited in claim 15 except for the hook is built in one body of a fixing plate screw-coupled to one side of the door. Fleming teaches a latching mechanism with a hook 32 is built in one body of a fixing

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plate 34 screw-coupled to one side of the door jamb. Fig. 1 of applicant admitted prior art teaches a latching mechanism with a hook 30 is built in one body of a fixing plate (not numbered) screw-coupled to one side of the door 10. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the dryer of Chioffi et al to include a hook with screw-coupled fixing plate as taught by Fleming or fig. 1 of applicant admitted prior art in order to facilitate install and replace hook.

6. Claims 1-9, 11-17, 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U. S. Pat. 3,520,568) in view of Saunders (U. S. Pat. 2,869,952).

Patent to White et al. shows a dryer comprising a housing 12, a drum 11 rotatably installed in the housing, a heating apparatus for supplying hot air to the drum (col. 2, lines 59-61), a door 13 and an apparatus for opening/closing the door 13 comprising a hook 17 with hanging portion 26 and a latch assembly 18 having a latch body 19 and a holder 25 to hold the hanging portion 26 which are arranged same as claimed. However, patent to White et al. does not show the door opening/closing apparatus with a latch assembly having a pair of holders to hold the hanging portion, a pair of springs provided in rear of the holders and a support member provided to the latch body to support each of the springs to move stably. Saunders teaches a door opening/closing device for a domestic electrical appliance comprising a latch assembly with a latch body 31, a pair of holders 39-44 to hold the hanging portion of hook 29, a pair of springs 47 provided in rear of the holders and a support member 36 to support each of the springs to move stably and a latch cap 13 which are arranged same as claimed. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute

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the latch assembly of Saunders for the latch assembly of White et al. in order to improve the safety.

Double Patenting

7. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8. Claims 1-24 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4-29 of copending Application No. 10/720,394. Although the conflicting claims are not identical, they are not patentably distinct from each other because both applications are claiming a dryer with a housing, a drum, a heating apparatus, a door, a hook, a latch body with first reception part and a pair of second reception parts, a pair of holders, a pair of springs, etc.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

9. Claims 1-24 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4-29 of copending Application No. 10/721,340. Although the conflicting claims are not identical, they are not

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patentably distinct from each other because both applications are claiming a dryer latch for opening/closing a door of a dryer comprising a hook, a latch body with first reception part and a pair of second reception parts, a pair of holders, a pair of springs, protrusions and a latch cap, etc.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Conclusion


10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cho et al. (U. S. Pub. 2002/0121783 & U. S. Pat. 6,603,377) show a door lock switch assembly in drum type washing machine. Foy (U. S. Pat. 6,343,824) shows an apparatus for suspending a load with a hook and a pair of holder for holding a pair of springs. Onderka et al. (U. S. Pat. 5,062,668) and Rasche (U. S. Pat. 4,687,236) and Greene, Jr. show a door lock with a hook a pair of holder for hold a pair of springs.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus can be reached on 571 272-4877. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jiping Lu
Primary Examiner
Art Unit 3749

J. L.